



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

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November 11, 2019

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By ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1105 New York, New York 10007

Re: *Hewes v. Alabama Secretary of State et al.*, No. 19-cv-9158 (JMF)

Your Honor:

I write on behalf of defendant the Secretary of State for the Commonwealth of Pennsylvania (the “Pennsylvania SOS”) to respectfully request that the Court extend the deadline for responsive pleadings for all out-of-state defendants in this action until after the Court rules on the motion to dismiss of the New York Department of State. Alternatively, the Pennsylvania SOS requests that this Court waive the *pro hac vice* requirements for all out-of-state defendants for the limited purpose of defendants’ initial motions to dismiss.

Either of these options would conserve the parties’ and the Court’s administrative and financial resources in drafting, responding to, and adjudicating the anticipated motions to dismiss. Defendants have meritorious grounds for prompt dismissal of Plaintiff’s complaint, including dispositive service and jurisdictional issues. The administrative and financial burdens entailed in the defendants’ attorneys applying here for *pro hac vice* status, and in all parties filing individual motions in this matter, are thus out of proportion to the issues involved. In a case such as this, where dozens of defendants face the burdens of paying the *pro hac vice* application fee and other requirements, the benefits of requiring strict compliance with Local Civil Rule 1.3 are outweighed by the clear burdens.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Alexander T. Korn
ALEXANDER T. KORN
Deputy Attorney General

Cc: (by first-class mail)
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Suite 22B
New York, NY 10022
Plaintiff Pro Se

Applications DENIED. As the primary basis for NYS DOS's anticipated motion seems to be failure to properly serve under New York law, it is not clear what is to be gained from awaiting the Court's resolution of that motion. And the Court is unpersuaded by the suggestion that filing for pro hac vice status in this District is unduly burdensome.

The deadline for *all* Defendants that have been served as stated in ECF No. 4 to answer or otherwise respond to the Complaint is hereby EXTENDED to **December 5, 2019**. Such Defendants shall promptly confer and, no later than **November 15, 2019**, submit a proposal to the Court with respect to motion practice that would most efficiently adjudicate Plaintiff's claims - ideally, a single joint motion to dismiss on issues that are common to multiple or all Defendants and/or on issues that could be case dispositive (with another round of motion practice on issues that are unique to individual Defendants). If Defendants' proposal on that score warrants a further extension of the deadline to answer, they should so advise the Court.

The Clerk of Court is directed to terminate ECF No. 11 and to mail a copy of this endorsed letter to Plaintiff. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Alex Korn', is written over the date.

November 4, 2019